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 Nevada Department of Public Safety Investigation Division;
 Southern Area Interdiction Narcotics Team; Detective Bryant;
 And Detective Trimming*

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

WALTER J. RUIZ and MILLICENT Z. RUIZ,
 individually; and as husband and wife,

Plaintiffs,

v.

CITY OF MESQUITE, a politic subdivision
 of the State of Nevada; CITY OF
 MESQUITE POLICE DEPARTMENT, a
 political subdivision of the State of Nevada;
 SOUTHERN AREA INTERDICTION
 NARCOTICS TEAM, a political subdivision
 of the State of Nevada; NEVADA
 DEPARTMENT OF PUBLIC SAFETY
 INVESTIGATION DIVISION, a political
 subdivision of the State of Nevada;
 DETECTIVE VERNON HARDY, individually
 and in his official capacity as a police
 officer; DETECTIVE JOHN DOE WOODS,
 individually, and in his official capacity as a
 police officer; DETECTIVE JOHN DOE
 BRYANT, individually, and in his official
 capacity as a police officer; DETECTIVE
 JOHN DOE TRIMMING, individually, and in
 his official capacity as a police officer;
 DOUG SMAELLIE, individually, and in his
 official capacity as a police
 officer/corrections officer; MESA VIEW
 REGIONAL HOSPITAL; CLAYTON
 FULLER, M.D., an individual; DARRIN F.
 HOUSTON, D.O., an individual; ROBERT
 FOSTER, M.D., an individual; DOES I
 through XX, inclusive, and ROE

Case No. 2:09-cv-00211-JCM-LRL

Consolidated with 2:10-cv-00077-GMN-RJJ

**DEFENDANTS NEVADA DEPARTMENT OF
 PUBLIC SAFETY INVESTIGATIONS
 DIVISION, DETECTIVE BRYANT AND
 DETECTIVE TRIMMING'S FIRST MOTION TO
 EXTEND DISPOSITIVE MOTION DEADLINE**

Attorney General's Office
 555 E. Washington, Suite 3900
 Las Vegas, NV 89101

1 CORPORATIONS XXI through XL,
 2 inclusive,
 3 Defendants.


4 **DEFENDANTS' MOTION TO EXTEND DISPOSITIVE MOTION DEADLINE**

5 COMES NOW, Defendants, NEVADA DEPARTMENT OF PUBLIC SAFETY,
 6 INVESTIGATIONS DIVISION ("NDI"), its SOUTHERN AREA INTERDICTION NARCOTICS
 7 TEAM ("Drug Task Force"), DETECTIVE BRYANT ("Bryant") and DETECTIVE TRIMMING
 8 ("Trimming"), (collectively "Defendants") by and through their attorneys CATHERINE CORTEZ
 9 MASTO, Attorney General and KIMBERLY A. BUCHANAN, Senior Deputy Attorney General,
 10 and hereby moves to extend the dispositive motion deadline.

11 This Motion is made pursuant to the March 3, 2011 Minutes of Proceedings (#58), the
 12 following memorandum of points and authorities and the other papers and pleadings on file
 13 with the court in this matter.

14 DATED this 9th day of September, 2011.

15 CATHERIEN CORTEZ MASTO
 16 Attorney General

17 By: 
 18 KIMBERLY A. BUCHANAN
 19 Senior Deputy Attorney General
 20 Nevada Bar No. 5891
 21 Public Safety Division
 22 555 E. Washington Ave., #3900
 23 Las Vegas, Nevada 89101

24 **POINTS AND AUTHORITIES**

25 On October 8, 2009, Plaintiffs Walter and Millicent Ruiz, (hereinafter "Plaintiffs"), filed a
 26 complaint against the City of Mesquite, its police department and several of its officers as well
 27 as the DRUG TASK FORCE, NDI, the supervisory agency for the task force and two of NDI's
 28 detectives in their individual and official capacities. The complaint raises a myriad of civil
 rights violations arising out of the DRUG TASK FORCE'S investigation into the illegal
 distribution and sale of narcotics by Plaintiff WALTER RUIZ.

On March 3, 2011, during the status conference, due to procedural delays with this matter, discovery was extended until August 18, 2011, and the Proposed Joint Pretrial Order was due October 19, 2011. (#58)

Plaintiffs' depositions were held on August 11-12, 2011 within the prescribed discovery period and the deposition of witness Lorene Trafny was held on Monday, August 22, 2011 pursuant to the agreement of the parties. Plaintiffs' deposition transcripts were only received on Tuesday, September 6, 2011, and the transcript of Lorene Trafny's deposition has not yet been received. Defendants respectfully request that the dispositive motion deadline be extended until October 18, 2011, in light of the delayed deposition transcripts.

(1) Discovery Cut-Off Date.

The discovery cutoff date was initially extended until July 18, 2011. (#56) Discovery was then extended again until August 18, 2011. (#58) Defendants are not seeking to reopen discovery, and therefore this deadline will not change.

(2) Amending the Pleadings and Adding Parties.

The date for filing motions to amend the pleadings or to add parties shall not be later than 90 days prior to the close of discovery. This deadline will not change.

(3) Fed. R. Civ. P. 26(a)(2) Disclosures (Experts).

The time deadlines specified in Fed. R. Civ. P. 26(a)(2)(C) for the disclosures concerning experts were modified to require that the disclosures be made 60 days before the discovery cut-off date and disclosures respecting rebuttal experts be made 30 days after the initial disclosure of experts. Accordingly, disclosures concerning experts were to be made by May 18, 2011. Disclosures concerning rebuttal experts were to be made by June 17, 2011. These deadlines will not change.

(4) Dispositive Motions.

Unless the discovery plan otherwise provides and the court so orders, the date for filing dispositive motions shall not be later than 30 days after the discovery cut-off date. In light of the new discovery deadline of August 18, 2011, and the delayed transcripts which are critical to the forthcoming Motion for Summary Judgment, Defendants are seeking a thirty day

1 extension. The amended deadline would be October 18, 2011.

2 **(5) Pretrial Order.**


3 The joint pretrial order shall be filed not later than 30 days after the date set for filing
4 dispositive motions. Originally, this deadline was to be October 19, 2011. The amended
5 deadline would be November 18, 2011. In the event dispositive motions are filed, the date for
6 filing the joint pretrial order would be suspended until 30 days after decision of the dispositive
7 motions or further order of the Court.

8 **(6) Fed. R. Civ. P. 26(a)(3) Disclosures.**

9 Unless the discovery plan otherwise provides and the Court so orders, the disclosures
10 required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be included in the pretrial
11 order.

12 DATED this 9th day of September, 2011.

13 CATHERINE CORTEZ MASTO
14 Attorney General

15 By: 
16 KIMBERLY A. BUCHANAN
17 Deputy Attorney General
18 Nevada Bar No. 5891
19 Public Safety Division
20 555 E. Washington Ave., #3900
21 Las Vegas, Nevada 89101

22 IT IS SO ORDERED.

23 
24 U.S. MAGISTRATE JUDGE

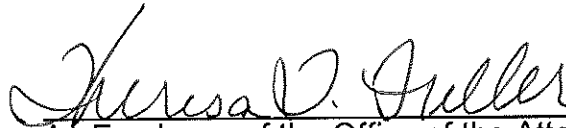
25 DATED: September 12, 2011
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27
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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of September, 2011, I served the foregoing *DEFENDANTS' MOTION TO EXTEND DISPOSITIVE MOTION DEADLINE* by causing to be delivered to the Department of General Services for mailing at Las Vegas, Nevada, a true copy thereof, addressed to:

Walter & Millicent Ruiz
P.O. Box 468
3185 Kaibab East
Beaver Dam, AZ 86432
In proper Plaintiffs

Jeffrey I. Pitegoff, Esq.
415 South 6th Street, Suite 300
Las Vegas, Nevada 89101
Attorney for Mesquite Defendants
Via: the CM/ECF system


An Employee of the Office of the Attorney General

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